

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

GEORGE H. ZAVAKOS,

:

Case No. 3:07-cv-058

Plaintiff,

District Judge Thomas M. Rose

Chief Magistrate Judge Michael R. Merz

-vs-

MICHAEL J. ASTRUE,
COMMISSIONER OF
SOCIAL SECURITY,

Defendant. :

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. No. 15), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on January 24, 2008, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that judgment be entered in favor of Plaintiff and against the Commissioner reversing the Commissioner's decision that Plaintiff is not disabled. This matter is remanded to the Commissioner for additional administrative proceedings consistent with the Magistrate Judge's Report as well as any further administrative proceedings necessary to determine whether Plaintiff is disabled.

January 28, 2008.

s/THOMAS M. ROSE

Thomas M. Rose
United States District Judge

